

Hello

I'm writing this without having talked with [Nonresponsive] my co-hearing officer in this case, but I think I can represent her concerns too. [Nonres] please pipe in should I have missed or misrepresented something.

We're recommending a suspension for [Nonresponsive] as a result of the April 8, 2005 case where he allegedly has sexual intercourse with another female student ([Margaret]) while he and she were intoxicated, and the October 2005 incident where he forced himself on another student, [Nonresponsive] declined to participate).

There was clear and convincing information that [Nonrespon] and [redacted] were both intoxicated and [Nonrespo] should have reasonable known this. While there was not clear evidence that any acts of aggression or violence occurred, this in no way marginalizes the actions of [redacted]. Both student's stories were quite conflicting and [Nonres] and I had trouble determining convincing evidence for many things though our gut told us that something wrong had occurred.

whose students' -mons is he talking about here?

Initially [Nonrespon] was very combative and refused to accept responsibility citing evidence that [redacted] had somehow tacitly excused this behavior by not telling him to stop, and by referencing previous social interactions they had had. [Nonrespon] did acknowledge that he and [redacted] were intoxicated. This admission is what Molly and I based our decision upon.

We initially were going to request suspension through Jan. '07, but during the sanctioning phase, I believe [Nonresponsive] had a break and suddenly recognized his situation. While I still think he has a lot to learn, he has admitted that he has an alcohol problem and that contributed significantly to his mistakes this year.

Having achieved this small success, [Nonres] and I are requesting the suspension begin immediately and that it go through the spring and summer months, with [Nonrespon] eligible to return in fall '06. Additionally, I would like to see him take part in the proposed alcohol court (or the intensive SMART program that [Nonres] and I have cobbled together this year in lieu of the alcohol court) to last not less than one academic year. As part of that alcohol court, there needs to be some focus on gender issues and alcohol and learning for [Nonrespon] about the dangers of sex and alcohol. Should he not complete the alcohol court, then there would be an immediate further semester of suspension. Additionally, we believe that [Nonrespon] should continue to meet with a therapist in CAPS to discuss his substance abuse issues, problems with his father and family dynamics, relationships with women, and potential dangers of entering the Fraternity world. [redacted] was told that this may incur some additional cost on his part.

Finally, he may not have contact, natch, with [redacted]

His History:

- 1. Found responsible for 9/24/05 incident when he initiated a fight with another where he seriously injured this student. This case went to HC where he was assigned a DP through 1/06 and SMART.
- 2. Found responsible for possessing and consuming alcohol in his residence hall room by McNutt J-board. Sanctioned to Housing Exclusion (HC option is still open on this one).

[Nonresponsiv] is a troubled student who has a lot to overcome, and I'm not totally convinced that he will not hang himself further down the road. However, through his self-discovery today I believe he still has hope and I want to try to support that. However, I do want there to be a suspension on his record and this helps [redacted] with her healing.

For [Nonres] and I this was a tough case and it could have (and still could) go either way. [Nonresponsi] (and his father) were initially very combative and difficult to work with, but once [Nonrespon] admitted his alcohol problem (which I think surprised his Dad a little), they both became more reasonable. [redacted] think this series of sanctions balances as well as possible the needs of the victim and the hopes for [Nonresponsive]



Thanks,

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